

REMARKS

Reconsideration of the present application is respectfully requested.

The drawings were objected to under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims in the Office Action of May 6, 2002. In the present Office Action, it has been indicated in the Office Action Summary that the drawings are still being objected to by the Examiner. However, there was no discussion including the basis for maintaining this objection in the Examiner's remarks. Applicant respectfully requests that the Examiner clarify the status of this objection to the drawings.

Claims 1 - 4, 6 - 7, 9 - 12, 18 and 19 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Application No. 06 - 009355 to Hiroshi Sakashita (hereafter "Hiroshi") in view of U.S. Patent No. 6,078,117 to Perin (hereafter "Perin"). These claims have been canceled without prejudice. Therefore, this rejection will not be discussed.

Claim 8 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroshi in view of Perin and further in view of U.S. Patent No. 4,920,289 to Saito. This claim has been canceled without prejudice. Therefore, this rejection also will not be discussed.

Claims 5 and 13 - 17 have been objected to for being dependent upon a rejected base claim. It was indicated on pg. 4, second paragraph of the Office Action that these claims contained allowable subject matter. Accordingly, Applicant has amended claims 5, 13 and 17 to be in independent form including all of the limitations of the base claim and any intervening claims as well as to correct cosmetic defects noted by the Applicant. Claims 14 - 16 depend from amended claim 13 and were therefore not amended.

Therefore, because claims 5 and 13 – 17, as amended, do not depend from a rejected claim, it is respectfully requested that the objection to these claims be withdrawn.

Applicant would like to point out that claims 5 and 13 – 17 were amended in response to an outstanding objection and not due to a substantial reason related to patentability or any other reason that might give rise to estoppel. Therefore, these amendments have not narrowed the scope of these claims within the meaning defined in Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 535 U.S. ___, (2002).

New claims 20 – 21 are presented for examination. These claims recite features that further distinguish Applicant's invention from the art of record. Support for new claim 20 can be found in, for example, FIG. 17B. Support for new claim 21 can be found in, for example, FIG. 16.

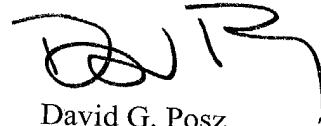
Further regarding new claim 20, this claim also recites the novel embodiment recited in claim 5 in which the disk portion comprises a plurality of slanted spring members. Therefore, new claim 20 should be allowed for the reasons by which it was indicated that claim 5 contained allowable subject matter.

In view of the above amendments and remarks, the present application is now believed to be in condition for allowance. A prompt notice to that effect is respectfully requested.

Serial No. 09/788,542

No fees are believed to be due. However, permission is hereby given to charge any unanticipated fees to Deposit Account No. 50 - 1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'DGP' with a stylized flourish at the end.

David G. Posz
Reg. No. 37,701

DGP/ksc
Law Offices of David G. Posz
2000 L Street, NW
Suite 200
Washington, DC 20036
(202) 416-1638
Customer No. 23400

MARKED-UP VERSION OF THE AMENDED CLAIMS

Claims 5, 13 and 17 have been amended as follows:

5. (Twice Amended) [The] A motor [as claimed in claim 4] comprising:

a rotor;

an armature coil;

a conductive case for accommodating said rotor;

a grounding member for grounding said conductive case;

a shaft having a portion extending outward from said conductive case;

a bearing fixed to said case for rotatably supporting said shaft;

a housing for fixing said conductive case;

means, including a conductive member in contact with said shaft and said conductive case, for pressing said conductive member between said shaft and said conductive case, wherein said means comprises:

a resilient contact member integrated with said conductive case; and

a parallel portion extending in a parallel direction to said shaft;

a slant portion slanting toward the center of said shaft; and

a disk portion held between said conductive case and said housing,

wherein said disk portion comprises a plurality of slanted spring members.

13. (Amended) [The] A motor [as claimed in claim 1, wherein

said bearing is directly fixed to said case,

said shaft has a collar, and] comprising:

a rotor;

an armature coil;

a conductive case for accommodating said rotor;

a grounding member for grounding said conductive case;

a shaft having a collar and a portion extending outward from said conductive case;

a bearing directly fixed to said case for rotatably supporting said shaft;

a housing for fixing said conductive case;

means, including a conductive member in contact with said shaft and said conductive case, for pressing said conductive member between said shaft and said conductive case, wherein said means comprises a spring washer held between said bearing and said collar.

17. (Amended) [The] A motor [as claimed in claim 1, further] comprising:

a rotor;

an armature coil;

a conductive case for accommodating said rotor;

a grounding member for grounding said conductive case;

a shaft having a portion extending outward from said conductive case;

a bearing fixed to said case for rotatably supporting said shaft;

a housing for fixing said conductive case; and

means, including a conductive member in contact with said shaft and said conductive case, for pressing said conductive member between said shaft and said

Serial No. 09/788,542

conductive case, wherein said means comprises a conductive [shield] seal member disposed between said shaft and said conductive case[, wherein said means comprises said shield member].